

**NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES**  
**MONDAY, APRIL 3, 2006**

Chairman Jesse Thompson called the meeting to order at 9:00 a.m.

**PRESENT:** Jesse Thompson, Chairman; J.R. DeSpain, Member; David Tenney, Member; Jerry Brownlow, Member; Mel Bowers, County Attorney; James G. Jayne County Manager, and Darlene Fraley, Deputy Clerk of the Board. Percy Deal, Vice-Chairman, entered the meeting in progress.

Chairman Thompson led the Pledge of Allegiance and Invocation

**CALL TO THE PUBLIC:** Hugo Lusten of Cedar Hills discussed his concerns that the County put fences on his private property. He distributed a document discussing the Dissolution of district (37-1038) and an editorial entitled "There is No Federal Open Range." Chairman Thompson advised Mr. Lusten staff would investigate this issue. Supervisor DeSpain expressed appreciation to Mr. Lusten for his appearance.

**CONSENT AGENDA:** a) Voucher list for payment; b) Minutes –January 11, 2005, May 16 & 17, 2005, May 20, 2005, May 31, 2005, February 22, 2006, March 13, 2006, March 20, 2006; c) Back Tax Land Deeds; d) Tax roll corrections; e) Award of bid to Land America Transnation for title searches for 2006 Treasurers' deeds; f) Interim Permit Liquor License for Steve Carlson of The Cabin located at 2763 Highway 260, Overgaard AZ; g) Name existing roads in the Winslow area for Bruchman Estates "Rosa Way", "Calla Way", "Tulsa Lane", "Solana Lane", and "Pasa Way" in Section 32, Township 19 North – Range 16 East; h) Sympathy letter for James G. Jayne and Albert and Courty Warren; i) Justice Court Reports: Pinetop #6 January; j) Juvenile Justice System Report—February; k) Constable Reports— Winslow #2 January/February; Snowflake #3 January/February; Show Low #5 February: **Supervisor Tenney made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

**HUMAN RESOURCES:** Consideration and possible approval of Personnel Actions: Gail Calisen reviewed her written personnel report with the Board. Supervisor Brownlow stated he had worked with resigning employee Tim Lacey from the Sheriff's department, and he was an excellent employee. **Supervisor Brownlow made a motion** to approve the Personnel Actions as presented and authorize the Chairman to sign the actions; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**TREASURER:** Consideration and possible approval of sale of APN 105-27-088A for \$2,000: Manny Hernandez advised that the \$2,000 offer for this parcel is a good offer, stating that the structure that once existed on the property is no longer there. He discussed the Certificate of Purchase related to this property that will result in a net \$160.00 to the County. **Supervisor DeSpain made a motion** to approve the sale to Mr. Rocky Gelardi of APN 105-27-088A for \$2,000; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**SHERIFF'S OFFICE:** Consideration and possible approval for Sheriff's Office to enter into an Intergovernmental Agreement with the Department of Public Safety allowing N.C.S.O.'s Evidence Custodian hands-on training at DPS's Flagstaff Property and Evidence Facility: Commander Steve Ebert reviewed the terms of this agreement. **Supervisor Tenney made a motion** to approve this IGA as presented; motion seconded by Supervisor Brownlow. Supervisor Brownlow inquired if it is

a new procedure to have the Attorney General Counsel approve IGAs and Mr. Bowers clarified that documents for DPS need the AG counsel approval. Vote unanimous approving the motion.

**PUBLIC HEALTH DISTRICT: Board of Directors Session: Supervisor Brownlow made a motion** to enter into the Public Health District **Board of Directors Session**; motion seconded by Supervisor DeSpain ; vote unanimous approving the motion.

- a) Consideration and possible approval of IGA Amendment #5 to Contract #HG354355 with the Arizona Department of Health Services for the Tobacco Education and Prevention Program for 2/1/06 to 6/30/08 for the purchase of a new computer and other operating items: Dr. Wade Kartchner introduced Darcey McKee, Program Manager for the Tobacco Education and Prevention Program. She discussed that the amendment to this contract is to allow for the transfer of funds from operating expenses to capital expenses to fund the computer and equipment purchases. **Supervisor DeSpain made a motion** to approve IGA Amendment #5 to Contract #HG354355 with the Arizona Department of Health Services for the Tobacco Education and Prevention Program from 2/1/06 to 6/30/08 for the purchase of a new computer and other operating items; Supervisor Brownlow seconded the motion; vote unanimous approving the motion.
- b) Consideration and possible approval of Memorandum of Agreement between the Hopi Tribe and the Navajo County Public Health Services District for the use of a conference room in the Office of Health Services and Women's Health Program for the purpose of providing assistance with vital records to area residents: Mary Tyler reviewed the terms of this amendment, stating the Vital Records Secretary travels to the reservation to assist tribal members in obtaining vital records. **Supervisor Tenney made a motion** to approve the Memorandum of Agreement between the Hopi Tribe and the Navajo County Public Health Services District for the use of a conference room in the Office of Health Services and Women's Health Program for the purpose of providing assistance with vital records to area residents; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

**Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**PUBLIC WORKS/PLANNING & ZONING:**

- a) Navajo County Flood Control District Board of Directors Session: **Supervisor Tenney made a motion** to enter into the Navajo County Flood Control District **Board of Directors Session**; Supervisor Brownlow seconded the motion. Due to the absence of Public Works staff, **Supervisor Tenney made a motion** to return to regular session; Supervisor Brownlow seconded the motion; vote unanimous approving the motion.

Upon the return of Public Works staff to the meeting, Supervisor Tenney made a motion to enter into the Navajo County Flood Control District **Board of Directors Session**; Supervisor DeSpain seconded the motion; vote unanimous approving the motion.

- i. Consideration and possible approval of the Arizona Department of Water Resources' request for \$5,000 of Navajo County Flood Control District funds to assist in the development of state-wide standards for identifying and delineating flood plains: Homero Vela reviewed the services received by the County for this funding that is contributed annually. **Supervisor DeSpain made a motion** to approve the Arizona Department of Water Resources' request for \$5,000 of Navajo County Flood Control District funds to assist in the development of state-wide standards for identifying and delineating flood plains; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

Vice-Chairman Deal entered the meeting at this point.

- ii. Consideration and possible approval of service contract for professional services with J.E. Fuller Hydrology and Geomorphology, Inc.: Homero Vela advised this contract would provide training to himself and the hydrology technician on hydrology and geomorphology computer software. Chairman Thompson inquired if other agencies in the County wished to participate if they could do so and Mr. Vela stated they could. **Supervisor DeSpain made a motion** to approve the service contract for professional services with J.E. Fuller Hydrology and Geomorphology, Inc.; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- iii. Consideration and possible approval of service contract for professional services with Ironside Engineering and Development, Inc.: Homero Vela advised these services will provide a base map for the county to address drainage issues within the County. **Supervisor DeSpain made a motion** to approve the service contract for professional services with Ironside Engineering and Development, Inc. Supervisor Tenney seconded the motion.

Mr. Bowers requested that the Contract for Professional Services be amended to reflect the funds will come from the Navajo County Flood Control District. Motions, seconds and votes were approved to reflect that change.

**Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

- b) Consideration and possible approval of funding in an amount not to exceed \$7,000 from District III and \$7,000 from District IV LTAF II funds to assist Silver Creek Senior Center with vehicle operating expenses: Dusty Parsons advised that this request meets the requirements for the use of LTAF II funds. **Supervisor DeSpain made a motion** to approve funding in an amount not to exceed \$7,000 from District III and \$7,000 from District IV LTAF II funds to assist Silver Creek Senior Center with vehicle operating expenses; Supervisor Tenney seconded the motion; vote unanimous approving the motion. Supervisor Tenney requested an update on LTAF II funds for all supervisors.
- c) Consideration and possible approval of funding in an amount not to exceed \$25,000 from District II LTAF II funds to assist Fort Defiance Area on Aging in the purchase and operation of a Chevrolet Extended van: Dusty Parsons stated that this purchase had come before the Board previously for a lesser amount and since the cost increased, legal counsel advised that this would take another Board action to approve the full amount. Keejo Nez from Indian Wells Senior Citizens program addressed the Supervisors stating that the elders need a new van. He expressed concern that the van they have is not reliable and has broken down. **Supervisor Brownlow made a motion** to approve funding in an amount not to exceed \$25,000 from District II LTAF II funds to assist the Fort Defiance Area on Aging in the purchase and operation of a Chevrolet Extended van; Supervisor Tenney seconded the motion. Supervisor Deal stated that three vans for District I were authorized for just under \$20,000 and this one cost \$25,000 and requested justification for the difference. Mr. Parsons advised that this is a 15-passenger van with a heavier suspension than the 12-passenger vans that were purchased. Supervisor Deal asked if they are the same vendors and Mr. Parsons stated he would check on this. Supervisor Deal reviewed the history of a purchase of vans where the County had difficulty transferring ownership to the Navajo Nation. He requested that Public Works develop a check sheet that outlines the whole series of actions that must be completed to transfer ownership to the Nation as well as LTAF requirements and then share that check sheet with himself and Supervisor

Thompson for them to facilitate the ownership transfer. Vote unanimous approving the motion. Mr. Nez thanked the Board of Supervisors.

- d) Consideration and possible approval of hiring temporary summer employee positions: Dusty Parsons advised that this is an annual request for summer projects, advising employees must be over 18 and many college students are used in these positions. **Supervisor DeSpain made a motion** to approve hiring temporary summer employee positions; Supervisor Brownlow seconded the motion. Supervisor Deal stated that he would like to have these employees be County residents and Mr. Parsons stated that almost every Public Works' employee has been local. Vote unanimous approving the motion with Chairman Thompson absent for the vote. Chairman Thompson returned and inquired if there is a possibility of having temporary employees evaluate roads for transportation needs and Mr. Parsons stated one of the engineering positions could be used for that purpose.

#### **BOARD OF SUPERVISORS:**

- a) Consideration and possible approval of financial assistance not to exceed \$200.00 to support the Navajo Nation Dive Team Search & Rescue scuba diver training with a manual warrant to be issued from District I funds: **Supervisor Deal made a motion** to approve financial assistance not to exceed \$200.00 to support the Navajo Nation Dive Team Search & Rescue scuba diver training with a manual warrant to be issued from District I funds; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- b) Consideration and possible approval of financial contribution not to exceed \$300.00 to co-sponsor the Western Rural Development Center Listening Session in Winslow, AZ with a manual warrant to be issued from District II and District III funds: Chairman Thompson reviewed the request for this funding. **Supervisor DeSpain made a motion** to approve a financial contribution not to exceed \$300.00 to co-sponsor the Western Rural Development Center Listening Session in Winslow, AZ with a manual warrant to be issued from District II and District III funds on a 50/50 basis; Supervisor Tenney seconded the motion; vote unanimous approving the motion.

**FINANCE/PURCHASING:** Consideration and possible approval to award contract to Empire Machinery for purchase of one Motor Grader Public Works IFB B06-01-030: Mary Springer reviewed the only responsive bid for this equipment, stating that since it came in over budget, Empire Machinery will accept a trade-in of equipment to offset the difference. **Supervisor Tenney made a motion** to approve the purchase as presented; Supervisor DeSpain seconded the motion; vote unanimous approving the motion.

**BOARD BUSINESS:** Supervisors reported on District activities, pending legislation and drought conditions. Supervisor Tenney expressed his appreciation to Mary Springer for her assistance in obtaining a mixer for the Rim Country Senior Center. Supervisor Deal reminded everyone that the Navajo Nation is back on daylight savings time and the Hopi reservation remained on standard time.

James Jayne expressed his appreciation for the Board's condolences and advised they had received word that on Friday, Bencita Nelson's father died. Mr. Jayne reported that Congressman Renzi's office confirmed that \$4.4 million total for Lone Pine Bridge has been appropriated, with the total project to be \$5.5 million. He also reported the times and places where Congressman Renzi will speak in Navajo County next week.

Mr. Bowers reported that Drug Court for participants who are on intensive probation has been in operation for four weeks and so far all participants have been successful.

Supervisor DeSpain requested that Mr. Bowers review the documents submitted by Mr. Lusten during Call to the Public for clarification so he can write a letter of response to him. He requested that Mr. Jayne invite Mr. Orr as the new NPC President to attend some of the Board meetings.

Supervisor Deal discussed the recent break up of a meth distribution lab on the reservation, stating that more support is needed. He said that he appreciates what the County Attorney currently does to seek partnership funds to address the problem and wants the County Attorney to continue seeking these resources.

At 10:28 a.m. **Supervisor Tenney made a motion** to adjourn; Supervisor Brownlow seconded the motion; vote unanimous approving the motion.

**APPROVED:**

**DATE:**

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**Jesse Thompson, Chairman**

**ATTEST:**

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**Clerk/Deputy Clerk of the Board**